

REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter, which applicants regard as the invention.

Claims 1, 3-5, and 7-8 were rejected under 35 U.S.C. 102(b) as being anticipated by Nutter (U.S. Patent No. 4,411,295). Traversal of this rejection is made for at least the following reasons. Nutter does not disclose *a movable rack* for receiving the multiple containers and *including ground-engaging movable members attached to the rack* for permitting the rack and the multiple containers received thereon to be moved, as recited in independent claim 1; or a method for *moving a movable rack* and multiple containers thereon into proximity of a fixed filling station *via operation of ground-engaging movable members mounted to the rack*, as recited in independent claim 5. The Examiner relies upon the plurality of pallets 26 as being equivalent to the claimed movable rack. However, the pallets 26 do not include ground engaging movable members attached or mounted thereto as required by claims 1 and 5, respectively. Rather, Nutter discloses employing means, such as a forklift truck, to move the pallets 26 to the filling device 12. Because Nutter does not disclose each and every limitation set forth in independent claims 1 and 5, Nutter cannot anticipate such claims or claims 3-4 and 7-8, which respectively depend therefrom. Withdrawal of this rejection is respectfully requested.

Claims 1-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ver Hage (U.S. Patent No. 6,684,915) in view of Nutter (U.S. Patent No. 4,411,295). Traversal of this rejection is made for at least the following reasons. Neither Ver Hage nor Nutter, individually or in combination, teach or suggest: a movable rack including *ground-engaging movable members attached or mounted thereto*, as required by independent claims 1 and 5, respectively; or a first holding device including *ground-engaging movable members attached or mounted thereto*, as required by independent claims 9 and 14, respectively. The Examiner relies on a tray 40a of Ver Hage as being equivalent to the claimed movable rack and first holding device and states that it would have been obvious to recognize that the ground-engaging movable members could be a

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person that carries the tray. However, the person that carries the tray is not *attached* or *mounted* to the tray, as required by independent claims 1, 5, 9, and 14. In fact, there is nothing attached to the tray 40a of Ver Hage. Nutter does not make up for the aforementioned deficiencies of Ver Hage. As discussed above, Nutter merely discloses a plurality of pallets that can be moved to a filling device via a forklift or the like. There is nothing attached to the pallets disclosed in Nutter. Because neither Ver Hage nor Nutter, alone or in combination, teach or suggest each and every limitation as set forth in claims 1-18, the combination of Ver Hage and Nutter cannot render such claims obvious. Withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any further fees required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. 35468US1.

Respectfully submitted,
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